

HOUSE No. 2421

By Mrs. Walrath of Stow (by request), petition of Leonard H. Golder relative to providing for a local option income tax. Revenue.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT PROVIDING FOR LOCAL OPTION INCOME TAX.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding the provisions of any general or special law to
2 the contrary, any city or town is hereby authorized to replace its
3 residential real estate tax with an income tax. Such tax may be at
4 different rates upon the income derived from different classes of
5 property but shall be derived at a uniform rate throughout the
6 municipality upon the incomes derived from the same class of
7 property. Upon adoption, the total income tax assessed to the
8 municipality shall not exceed the total assessed amount derived
9 from residential real property of the most recent fiscal year. The
10 replacement of the residential real estate tax shall have no effect
11 on the non-residential real estate tax in the city or town. Upon
12 adoption, the said income tax in combination with the non-resi-
13 dential real estate tax shall be subject to the same terms, restric-
14 tions and spending limitations and cap under the provisions of
15 section 21C of chapter 59 of the 1998 Massachusetts General
16 Laws.

17 The adoption of said form of taxation shall be accomplished as
18 hereinafter provided:

19 a) The chief executive officer of the board shall submit ques-
20 tion to the legislative body.

21 b) The adoption of such form of taxation shall require a two-
22 thirds vote of said legislative body.

23 c) Upon such adoption by the legislative body it shall be sub-
24 mitted to the voters, of the city or town, and may be adopted by a
25 majority vote. Said submission shall be no later than 90 days after
26 adoption by the legislative body.

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